

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 11:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Lisa J. Prosser, Senior Deputy Clerk.

F046562 Eric S. v. The Superior Court of Fresno County; Fresno Co. Dept. of Children & Family Services

Cause called and continued to January 6, 2005 @ 11:00 a.m. for oral argument.

Court recessed until Thursday, January 6, 2005 at 11:00 A.M.

F044486 People v. Beagle

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F044486 People v. Beagle

The drug-related conditions of probation are vacated. The judgment is affirmed in all other respects. The case is remanded to the trial court for a determination of whether to re-impose the drug-related conditions of probation on the basis of facts other than those that formed the basis of the drug possession charge. Wiseman, Acting P.J.

We concur: Levy, J.; Gomes, J.

[CERTIFIED FOR PUBLICATION]

F045610 People v. Kennedy

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F044404 People v. Garza

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045446 Yadao Family Trust et al. v. JAMKE

The order denying appellants' motion to strike the cross-complainant under section 425.16 is reversed. The matter is remanded to the trial court for further proceedings to determine whether respondent can establish there is a probability that it will prevail on the cross-complaint. Costs on appeal are awarded to appellants. Levy, Acting P.J.

We concur: Cornell, J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]